UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,033	12/04/2001	Yoshimasa Kitamura	3008-42	9300

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EXAMINER
STOICA, MARIA

ART UNIT	PAPER NUMBER
3715	

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/000,033	KITAMURA, YOSHIMASA
	Examiner	**Art Unit**	
	Maria Stoica	3715	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _15 December 2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-15_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-15_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   In response to the submitted materials, claims 1-15 and the specification of the

disclosure have been amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Maniac

Mansion. The Maniac Mansion game discloses a memory means (i.e., the disk on which

the game is stored) for storing a plurality of locations for movement of a character (i.e.,

the rooms in the house of Dr. Ed, and the surrounding area – please see p. 6 of ref. #1

or ref#2 for clearer pictures of locations) and a plurality of sub-characters appearing

therein (see p. 3-4 of ref. #1, esp. underlined portions) corresponding to a plurality of

keywords representing behavior of said main character (i.e., the actions of the main

character, see p. 5 of ref. #1, underlined portion), said memory means also storing a

plurality of sentence data (i.e., the Sentence Line, see p. 3 of ref. #1), associated with

said behavior corresponding to said keywords (i.e., verbs that describe the behavior of

the main character, see p. 10 of ref. #1), said locations (i.e., moving a character around

from location to location, see p. 11 of ref. #1), and said sub-characters (i.e., the main

character may interact with sub-characters, for an example see ref. #3, p. 4), said

memory means also storing a plurality of image data corresponding to said plurality of

sentence data (i.e., each time an action is performed, an animation represents that

action); a selection means for selecting a keyword from said plurality of keywords (p. 10

of ref. #1, see selection of verbs); and a production means for determining said

locations and said sub-characters on the basis of said selected keyword (i.e., depending

on the behavior keyword selected, the main character may change locations or induce

sub-characters to change their locations, see p. 5 of ref. #1), reading out from said

memory means said sentence data and said image data corresponding to said selected

keyword, said determined locations, and said determined sub-characters, and

synthesizing said read-out sentence data and said read-out image data to produce said

picture book (i.e., the resulting display and animations corresponding to each action).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1, 4-6, 9, 11, and 15 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Lang ("Story Beads: a wearable for distributed and mobile

storytelling") in view of Barry ("A Declarative Model for Simple Narratives").

Lang discloses a memory means (inherent since the implementation is on a computer, and it is well-known in the art that a computer comprises memory) for storing a plurality of sentence data (p. 4, 'natural language output unit') associated with behavior of a main character corresponding to a first plurality of keywords representing said behavior of said main character in a picture book (see p. 4, 'world model'); a selection means for selecting a main character (p. 5, col. 1) and selecting a second plurality of keywords from a first plurality of keywords in a particular order, the second plurality of keywords being smaller or equal in number than the first plurality of keywords and a production means for reading out from said memory means said sentence data corresponding to said selected second plurality of keywords, and synthesizing said read-out data, such that the read-out data is randomly ordered (p. 6, col. 2, top; i.e., the sentence data and events are arbitrarily chosen from a series of Russian folk tales and are arbitrarily placed in the new story in appropriate slots, and are thus randomly arranged; also see 'The World Model' section), into constituent parts of a storybook.

Lang does not expressly disclose storing a plurality of image data corresponding to said plurality of sentence data. However, Barry teaches this aspect (throughout, e.g., see par. 2 of the Introduction). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate pictures into the storybook created as in Lang in order to create a more pleasing interface for the storytelling material.

Further, regarding claim 11, the display means is inherent since the paper by

Lang discloses a computer program that is run on a computer and it is well-known in the

art and to one of ordinary skill that a computer has a display.

Regarding claim 5, Lang, as modified by Barry, teaches the multiple keywords a

rearranged in a random order (i.e., they are taken from original Russian folk tales and

placed at an arbitrary location in the newly generated story, see p. 6, col. 2 top of Lang).

Regarding claim 6, Lang, as modified by Barry, discloses inserting a connecting

sentence between the constituent parts to cause flow (see p. 6, 'Output Samples'; "once

upon a time there lived a dog" is considered a filler sentence since it does not have an

action (i.e., keyword) associated with it).

4.   Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lang, as modified by Barry, further in view of Gillespie ("Digital Storytelling and

Computer Game Design"). Lang, as modified by Barry, does not expressly disclose that

the image data includes animations. However, Gillespie teaches this aspect (p. 2,

underlined portion). It would have been obvious to one of ordinary skill in the art at the

time of invention to incorporate the animations as taught by Gillespie, into the

storytelling method of Lang, as modified by Barry, in order to improve the aesthetic

appeal of the storybook.

5.   Claim 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lang, as modified by Barry, further in view of Andrew (US Patent No. 6,567,104). Lang,

as modified by Barry, does not have the specific feature that information is stored in accordance to seasons. Andrew'104 teaches of a computer system with "one or more predefined time periods, each of which is defined by one or more conditions." (col. 6, lines 13-14) It further suggests that seasons could be classified as specific time periods by date (col. 6, lines 45-47). Andrew'104 also teaches a method in which such a system could be used to customize the user interface (in this case the display that shows the resulting story) based on the time period by associating different interfaces with each defined time period. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate this method into the story generation device to adapt the image displays of the resulting story to seasonal changes.

6.   Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lang, in view of Barry, further in view of SJC ("Accurate Reporting and News Credibility"). In addition to the features described for claim 1, Lang, in view of Barry, does not expressly disclose that the picture book production system be implemented in a server-terminal configuration, where the terminal is a personal computer. However, the SJC random story generator website teaches this aspect. It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of SJC into the production system of Lang, in view of Barry, in order to make the picture book system widely available on the Internet.

Response to Arguments

7.   Applicant's arguments with respect to claims 1-15 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Turner, Morgenroth, Cavazza et al., Szilas, and Davenport relate

to story generation and rearrangement of story components to generate various stories

from the same components.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Maria Stoica whose telephone number is (571) 272-

5564. The examiner can normally be reached on M-F: 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Monica Carter can be reached on (571) 272-4475. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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